

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

TYRONE HUNT,

No. C-09-2276 MMC

Plaintiff,

**ORDER DISMISSING ACTION;
GRANTING APPLICATION TO
PROCEED IN FORMA PAUPERIS**

v.

U.S. SECRET SERVICE, et al.,

Defendants

/

Before the Court is plaintiff Tyrone Hunt's complaint, filed May 22, 2009. Also before the Court is plaintiff's application to proceed in forma pauperis, filed May 22, 2009, as amended June 17, 2009. Having read and considered the above-referenced filings, the Court rules as follows.

It appearing from plaintiff's application that he lacks funds to pay the initial filing fee, the application to proceed in forma pauperis is hereby GRANTED.

Pursuant to 28 U.S.C. § 1915(e), where, as here, a plaintiff proceeds in forma pauperis, the district court must dismiss the complaint if the court determines the complaint is frivolous or malicious, or that the plaintiff has failed to state a claim upon which relief can be granted. See 28 U.S.C. § 1915(e)(2)(B)(i), (ii).

Here, plaintiff's complaint falls within the category of pleadings identified in § 1915(e)(2)(B)(i) and (ii). Plaintiff alleges no injury to himself, but, rather, alleges that

1 defendant U.S. Secret Service has failed to provide what, in plaintiff's view, is proper
2 protection to Nancy Reagan; as relief, he seeks "immediate and urgent correct [sic] of the
3 U.S. Secret Service protection." (See Compl. at 3.) Plaintiff fails to allege a cognizable
4 jurisdictional basis for his claim, and no such basis is apparent from the allegations.
5 Moreover, there is no indication plaintiff can cure the deficiency.

6 Accordingly, plaintiff's complaint is hereby DISMISSED, pursuant to 28 U.S.C.
7 § 1915(e)(2)(B).

8 The Clerk shall close the file.

9 **IT IS SO ORDERED.**

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11 Dated: June 19, 2009
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MAXINE M. CHESNEY
United States District Judge